

IN THE UNITED STATES BANKRUPTCY COURT
OF THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
WALTER H. TOMASCH, dba THE : No. 4-17-00899
WALLPAPER BARN, :
Debtor :
NATIONSTAR MORTGAGE, LLC, : Chapter 13
Movant :
VS. :
WALTER H. TOMASCH, dba THE : Stay Relief
WALLPAPER BARN, and CHARLES J. :
DeHART, III, TRUSTEE, :
Respondents :

ANSWER ON BEHALF OF WALTER H. TOMASCH
TO MOTION OF NATIONSTAR MORTGAGE, LLC,
FOR RELIEF FROM AUTOMATIC STAY

COMES NOW, Walter H. Tomasch, Debtor herein ("Tomasch"), by his attorneys, Stover, McGlaughlin, Gerace, Weyandt & McCormick, P.C., and respectfully responds as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied as stated. The mortgage was assigned in 2012 to Homeward Residential, and in 2013 to Ocwen Loan Servicing, and in 2017 to Movant Nationstar Mortgage. As such, the allegations are admitted.
5. Admitted.
6. Denied. Tomasch has made payments of \$1,123.92 as required by the Note since the commencement of the case in March 7, 2017, with the exception of the payment which became due on January 1, 2018. Most recently, Tomasch made payments of \$1,123.92 each on October 16,

November 27, and December 30, 2017. In addition, Tomasch intends to make another payment on January 23, 2018.

7. Denied. Tomasch has made payments of \$1,123.92 as required by the Note since the commencement of the case in March 7, 2017, with the exception of the payment which became due on January 1, 2018. Tomasch intends to cure the arrears by making the payment on January 23, 2018.

8. Denied. Tomasch believes that he has not been more than 1 month behind on his post-petition payment as of January 9, 2018. He believes that, in light of Movant's adequate protection payment, the award of fees and costs would be unreasonable.

9. Denied as stated. This Answer and the averments contained herein do not constitute a waiver by Tomasch of his right to object to such reimbursements.

WHEREFORE, Walter H. Tomasch, Debtor herein, respectfully requests that this Honorable Court deny the relief requested in the Motion of Nationstar Mortgage, LLC, for Stay Relief, and for such other and further relief as is equitable and just.

Respectfully submitted,

STOVER, McGLAUGHLIN, GERACE,
WEYANDT & McCORMICK, P.C.

BY: /s/ Don Michael Hahn
Don Michael Hahn, Esquire
919 University Drive
State College, PA 16801
(814) 355-8235
Attorney for Debtors

danswer

I, Walter H. Tomasch, Debtor herein, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: Jan 22, 18

/s/ Walter H. Tomasch
Walter H. Tomasch

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing documents upon the person(s) and in the manner indicated below:

Service by ECF Filing Notice as Follows:

Charles J. DeHart, III, Esquire
Standing Chapter 13 Trustee

James C. Warmbrodt, Esquire
Attorney for Nationstar Mortgage, LLC

DATED this 23rd day of January, A.D., 2018.

-/s/ Donald M. Hahn